



Minutes from the regular meeting of the  
Asheville Downtown Commission  
February 13, 2009 at 8:30 am  
Office of Economic Development  
29 Haywood Street in downtown Asheville

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**Members Present:** Jan Davis, Pat Whalen, John Rogers, Brad Galbraith, Pam Myers, Kitty Love, Guadalupe Chavarria, Byron Greiner, Jesse Plaster, Dwight Butner, Peter Alberice

**Members Absent:** none

**Staff/Consultants Present:** Sasha Vrtunski, Jessica Bernstein, Stephanie Monson, Tom Gallaher, Greg Shuler, Alan Glines

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Chairman Whalen called the meeting to order at 8:37 am

#### **MINUTES**

A motion was made by Byron Greiner to approve the minutes and allow Chairman Whalen to make grammatical or wording changes to the minutes that do not change the content or intent of the document; seconded by Butner and approved unanimously. Commission members requested that Whalen bring back the adjusted document for review.

#### **DOWNTOWN MASTER PLAN UPDATE**

Project Manager Vrtunski previously delivered changes to draft to Commission by email; an implementation matrix draft was handed out to the Commission for initial review.

The 30 day public comment period has ended. Fifty comments were received and the team is pleased with that response rate

Planner Glines had reviewed build out implications of the Master Plan's suggested height and massing requirements on 5 parcels downtown and produced a report (on file in the Planning Department); this exercise helped all stakeholders better understand the proposed changes, and highlighted how many parcels downtown are unique.

The Commission was asked to review the changes the project team is proposing to the draft as a result of public comment period and stakeholder review.

The project team/Goody Clancy is required to turn the final draft plan into Planning and Zoning Commission on Monday the 23<sup>rd</sup> of March for their review as part of the approval process. It is hoped that the Downtown Commission vote (as part of the approval process) would happen on the 13<sup>th</sup> of March, however it is likely it may happen in April. Alberice noted that the Chamber of Commerce had not yet sent in comments and just started to review the document.

Myers noted some property owners are frustrated; they do not understand what the changes are and how it might affect their property's development potential. She suggested that Gline's report be publicized and perhaps marketed as a community tool. The Commission discussed how to best accomplish this; there was consensus that

using the City's public access channel and producing a short video would be extraordinarily helpful to the community. Councilman Davis noted that a way to conserve resources would be to videotape (for cablecast) Gline's upcoming presentation at the Planning and Zoning Board Retreat. Staff will investigate what resources are available to pursue this intent.

Butner noted the following concern: a good portion of the community wanted to preserve what existed and augment what is already happening; arguably it is now easier under this plan to do the proposed FIRC/Haywood Park project, which includes the demolition of buildings etc., instead of an infill project like the Ellington that has relatively little impact on existing buildings. Butner relayed this to Goody Clancy and awaits a response. Alberice noted he is concerned that the plan does not focus/focus enough on white collar workers/jobs in downtown.

Whalen asked Commission members to send other general concerns to Tom Gallaher as he is the local contact for the team.

Commission members are still unsatisfied with the setback requirements intended to provide superior access to air and light and to preserve viewsheds. Comments included: the idea of buying neighboring air rights is not feasible in practice; there is concern that the Jackson Building and Flat Iron Building could not be built or not without a variance; requirement of 30% open space on lots over ½ acre for buildings over 75 feet high should automatically provide for the type of form the setbacks are trying to incent via complicated stepback requirements; putting a plan in place where you are constantly requiring applicants to ask for variance is bad policy; it is the concentration of very small lots that causes the problem.

Commission members and staff discussed the effect of having historic buildings near lots; the effect of street right of ways on height; how that newer requirement will affect allowable height.

Vrtunski noted that the Commission had asked for a form based code at the outset of this process and for the members to consider that as they continue to review the proposal.

Commission members' consensus was to schedule two additional work sessions on specific plan elements; strategy 7 to be discussed Wednesday 18th at 9 am; design standards Friday the 20<sup>th</sup> at 9 am.

Vrtunski will talk with City Manager and Economic Development Director regarding any slowing down of the current approval process that occurs as a result of Downtown Commission and public comment/review period. Davis noted that a small delay, if warranted, would be acceptable to Council.

## **CITY OF ASHEVILLE ORGANIZATIONAL CHANGES**

Assistant City Manager Jeff Richardson spoke to the Commission; he had come to attend the Pack Square Conservancy Annual Update as the City's appointed trustee on the Board of the Pack Square Conservancy (PSC). While in attendance, he was asked by staff to give a heads up regarding a planning effort underway at the City to improve the customer service experience/development process through implementation of a "one stop shop" for development services. This best practice has been under consideration by the City for quite a while and the City Manager and Department Directors are now committed to executing the project in an efficient manner at the current Public Works Building on S. Charlotte Street. Other changes that become possible due to this development include the physical relocation of the Office of Economic Development (OED) to City Hall (from 29 Haywood Street); and the installation of a downtown police patrol/sub-station in the (current Office of Economic Development) building on Haywood

Street. The Small Business Association and the Downtown Association have been given the option of staying in the existing building at 29 Haywood. It is likely that the OED conference room will still be available for public meetings such as the Downtown Commission meetings, however the Commission may choose to explore alternatives. City management is interested in developing a closer relationship between Planning and Economic Development functions and will be able to locate all the OED staff on the 5<sup>th</sup> floor (current Planning offices). This move should positively affect service provision to the public. The move to house a police patrol will improve the public safety experience for residents and visitors as well as increase citizen access to officers of the law. Richardson thanked the Commission members in advance for any commentary they could share by emailing him at [jrichardson@ashevillenc.gov](mailto:jrichardson@ashevillenc.gov); additionally Sam Powers could be helpful in providing details as the planning process unfolded. While there is no known date for the one stop shop's opening, it would be expected in summer 2009.

### **PACK SQUARE CONSERVANCY (PSC)**

Marilyn Geiselman presented to the Commission; she introduced Jim Samsel, a long time PSC supporter and board member and Greg Shuler, the City of Asheville's day-to-day, on the ground liaison during the construction process. PSC is working with Valley Crest Landscape Development on the implementation of this project; Geiselman related that the team is known for doing excellent work on large scale projects in both the private and public sectors.

Construction update: main platform for the stage has been poured; local artist Hoss Haley's pergola is under construction and will be located behind that; Haley is also working on a fountain for Pack Place area.

Showed photos and explained the concept of fountain play area/splashville: when not in use as fountain it serves as a hardscaped place for people to congregate, sit, stand, dance. There are several sign walls being installed, for example one announcing you are in the Roger McGuire Green. Photos were shown of construction activities in front of Pack Place. Photos showed how the configuration of the area will be quite different from what is existing. The team is excited to pursue work on (Haley's) fountain; 6 tons of granite have been delivered which will serve as the foundation of the bronze bowl; the rocks are being cut right now in his studio so that the bowl will fit atop. There will be many opportunities for terraces and outdoor seating in the area around this part of the park.

Schedule – Team is on schedule to complete McGuire Green; the farthest section is close to done now, the other part will be finished by September. Many are hoping the Veterans memorial will be finished by Memorial day but there is no promising that, only hoping to have that accomplished. The work in front of Pack Place is ahead of schedule and will be finished in the next month, at which time the area will be available to the public. The Conservancy is grateful of the public's patience, and especially the patience of business owners around the construction activities; PSC would like to get the work done and get out of the way as quickly as possible to minimize impact on businesses. Work on the midsection of the park will be the most complicated as it includes terracing, the conversion of all utilities, and the pavilion construction. The final activities for park construction will include finishing of all landscaping, then installation of site furnishings. The Pack Place area's management will return to the City in April; Parks and Recreation have not indicated what if any programming will take place this year. The PSC Board has decided to hold the start date for construction of the pavilion until all Valley Crest's work has been done. The pavilion should take ten months to build, and may go faster. The surrounding park will be open but for the construction site itself, approximately ten feet around building footprint.

McGuire Green will need time to establish landscaping and so will not be used for large scale events until late 2010. The central area should be open by December 2009 (the pavilion construction will still be occurring).

Geiselman explained that determining the stability of the landscaping is dependent on irrigation system, climate, and weather and as such is difficult to predict. The lawn type (sod) is specifically for high traffic areas and will occasionally be cordoned off to encourage restabilization. In regards to a Commission question Geiselman noted that the decision about a possible road for the proposed Parkside project is not up to the PSC.

It's the PSC's belief that it is critical for the City to program events like Bele Chere and Taste of Asheville into the Pack Place area of the park this year.

#### Pavilion

Samsel presented an overview of the pavilion project. The program includes public restrooms, a prepared foods café, and a tour bus drop off point, a small visitor's center, and PSC offices. Public art, notably by Randy Schull, is included in the budget and elements will be incorporated into the reception area as well as outdoor areas, including a rainwater collection system used to divert water from the roof to the garden. The NC Arboretum will partner with PSC on horticulture maintenance for the area.

Butner asked if the PSC Board realistically feels like there is funding to construct the pavilion. Samsel noted that the board will visit this issue in mid summer and make a decision.

#### **OTHER ITEMS**

Whalen noted that he wants the Commission to reach out to the County regarding Courthouse renovation discussions and any County intent to move some offices out of downtown.

Whalen would like the Commission to present to the County regarding the Downtown Master Plan.